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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/141,210	08/27/98	MATTISON	P 042390.P4817

LM31/0621
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EXAMINER

KASSA, Y

ART UNIT	PAPER NUMBER
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2721

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DATE MAILED: 06/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/14/210

Applicant(s)

MATTISON

Examiner

YOSSEF KASSA

Group Art Unit

2721

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-21 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-21 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4, 7-19 are are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. That is, the above claims cited limitations "first method" on line 4 render the claims indefinite because it is unclear whether the limitation is part of the claimed invention because the body of the claim do not perform the cited process.

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1-14, 16 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Mori, et al (5,982,994).

With regard to claim 1, Mori, et al discloses a machine-readable medium having instructions that when executed by a processor cause the step of associating first image data and first method as part of an image object, i.e., the highest priority which is designated by the queue and forms a dot image (col. 6, lines 64-67 of Mori, et al), the first method for being executed by an abstract machine to obtain first translated image data based upon the first image, i.e., the communication protocol controller identifying in accordance with the predetermined protocol (col. 6, lines 54-59 of Mori, et al).

With regard to claim 2, associating second image data with the first method as part of the object, the first method for being executed by the abstract machine to obtain second translated image data based upon the second image data, i.e., the LAN driver identifying the communication protocol information (col. 6, lines 53-67 of Mori, et al).

With regard to claim 3, associating second image data and second method as part of a second object, the second method for being executed by the abstract machine to obtain second translated image data based upon the second image data (col. 7, lines 1-11 of Mori, et al).

With regard to claim 4, the first translated data is in the same format as the first data (col. 4, lines 33-36 of Mori, et al).

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Claims 5, 7-10 and 20 is rejected the same as claims 1 and 2. Thus, arguments analogous to those presented above for claims 1 and 2 are applicable to claims 5, 7-10 and 20.

Claims 6, 19 and 21 is rejected the same as claim 4. Thus, arguments analogous to those presented above for claim 4 are applicable to claims 6, 19 and 21.

With regard to claim 11, the first image data is the sensor data (col.3, lines 60-64 of Mori, et al).

With regard to claim 12, second memory having instructions that when executed by the 4 processor cause processing the sensor data into the first image data (col. 4, lines 1-8 of Mori, et al).

With regard to claim 13, the processing comprises performing an image processing methodology on the sensor data (col. 4, lines 9-13 of Mori, et al).

With regard to claim 14, logic circuitry for processing the sensor data into the first image data, i.e., the algorithm physical manipulation of physical quantities (col. 1, lines 55-64 of Mori, et al).

With regard to claim 16, interface to a communication medium for transferring the first image data and the first method to a processing system separate from the imaging device, the processing system being configured with said abstract machine (col. 1, lines 33-41 of Mori, et al).

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Claim Rejections - 35 U.S.C. § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori, et al (5,982,994) and further in view of Kanoh, et al (5,873,077).

With regard to claim 15, the logic circuitry performs a color interpolation algorithm on the sensor data (col. 3, lines 35-50 Kanoh, et al).

With regard to claim 17, the image object comprises a TIFF file, the TIFF file comprising the first image data and the first image method (col. 15, lines 15-20 of Kanoh, et al).

Mori, et al does not explicitly call for tag image file format (TIFF) . However, this feature is thought by Kanoh, et al. Mori, et al shows a network printer is used in common by clients having different communication protocols sort out printing jobs to the clients. Kanoh, et al shows document retrieval and searching system on an interconnected computer network. Mori, et al and Kanoh, et al are combinable because they are from network communication area (abstract), for example.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to communicate with deferent protocol. The motivation for doing so would have been to connect network printer to a plurality of personal computer (col. 1, lines 19-26 of Mori, et al).

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Therefore, it would have been obvious to combine Mori, et al and Kanoh, et al to obtain the invention as specified in claim 17.

With regard to claim 18, the translated first image data is part of an image file being in the Device Independent Bitmap (DIB) format (col. 4, lines 27-33 of Kanoh, et al).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent No. (5,907,640) to Delean discloses functional interpolating transformation system for image processing. US Patent No. (5,790,708) to Delean discloses procedure for image processing in a computerized system. US Patent No. (5,848,413) to Wolff discloses method and apparatus for accessing and publishing electronic documents.

Any inquiry concerning this communication from examiner should be directed to Yosef Kassa whose telephone number is (703) 306-5918. If attempts to reach the examiner by telephone are unsuccessful, any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

Yosef Kassa

06/12/00

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